

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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**DAVONTAE SANFORD,**

Plaintiff,

vs.

**MICHAEL RUSSELL and JAMES TOLBERT,**  
in their individual capacities, jointly and  
severally,

Defendants.

Case No. 17-cv-13062  
Hon. David M. Lawson  
Magistrate Judge R. Whalen

STIPULATION TO PROTECTIVE  
ORDER REGARDING GARRITY  
STATEMENTS PROVIDED IN  
DETROIT INTERNAL AFFAIRS FILE  
#19-063

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**STIPULATION TO PROTECTIVE ORDER REGARDING *GARRITY* STATEMENTS**  
**PROVIDED IN DETROIT INTERNAL AFFAIRS FILE #19-063**

The parties and the Non-Party City of Detroit, by and through their respective counsel, hereby stipulate that as part of the City of Detroit's Internal Investigation #19-063, the City obtained *Garrity* statements from Michael Russell, DeShaune Sims, Michael Chambers, Dietrich Lever, Ira Todd, and Jamal Hamood. Pursuant to Mich. Comp. Law § 15.395, involuntary law enforcement statements are confidential communications that are not to be open to public inspection. However, under subsection (d), in a civil action, the Court may enter a protective order to preserve, through reasonable means, the confidentiality of involuntary statements. Therefore, the parties stipulate to the entry of a protective order stating the following:

- (1) The City of Detroit will produce to Plaintiff, through his counsel, a copy of all of the aforementioned *Garrity* statements;

(2) Those statements are to be designated “CONFIDENTIAL;”

(3) The *Garrity* statements may only be disclosed to the following persons and only to the extent necessary for the litigation of this action:

- a. Counsel for Plaintiff, Plaintiff, counsel for Defendants, Defendants, the persons who provided the *Garrity* statements, and any support staff of such counsel assisting in this action;
- b. The Court and its personnel, including court reports;
- c. Expert witnesses or consultants retained by the parties, subject to the confidentiality requirements of this Protective Order;
- d. Any appellate court and its personnel, in the event of any appeal.

(4) A party wishing to file any *Garrity* statement governed under this protective order with the Court must move to file that document under seal.

(5) This Order does not, by itself, authorize the filing of any document under seal. Any party wishing to file a document containing the *Garrity* statements covered by this order must comply with Local Rule 5.3.

(6) The *Garrity* statements governed under this order and all copies thereof must be returned to the City of Detroit upon the final disposition of this action or the individual party that received those items must certify to the City of Detroit that they were destroyed.

Approved as to Form:

/s/Emma Freudenberger (w/ permission)

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